

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO,

as representative of

THE COMMONWEALTH OF PUERTO
RICO, *et al.*

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**URGENT MOTION OF THE OFFICIAL COMMITTEE OF
RETIRED EMPLOYEES OF THE COMMONWEALTH
OF PUERTO RICO FOR EXPEDITED CONSIDERATION OF ITS
MOTION TO EXTEND THE VOTING DEADLINE FOR
HOLDERS OF CLAIMS IN CLASSES 51B, 51D, 51E, 51F, AND 51L**

The Official Committee of Retired Employees of the Commonwealth of Puerto Rico (the “**Retiree Committee**”) respectfully files this urgent motion (the “**Urgent Motion**”) to expedite consideration of the Retiree Committee’s motion (“**Voting Deadline Motion**”),² filed contemporaneously herewith, extending the deadline by which ballots must be returned (the “**Voting Deadline**”) for retirees in Classes 51B, 51D, 51E, 51F, and 51L3 (“**Eligible Retirees**”) of the *Seventh Amended Title III Joint Plan of Adjustment for the Commonwealth of Puerto Rico*

¹ The Debtors in these jointly-administered PROMESA title III cases (these “Title III Cases”), along with each Debtor’s respective title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are: (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (Bankruptcy Case No. 17 BK 3284) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric and Power Authority (Bankruptcy Case No. 17 BK 4780) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (Bankruptcy Case No. 19 BK 5523-LTS) (Last Four Digits of Federal Tax ID: 3801).

² Capitalized terms not otherwise defined herein have the meaning provided in the Voting Deadline Motion.
3 Class 51L (VTP Payroll Above-Threshold Claims), was erroneously labeled Class 51K in Section 55.12 of the Plan.

et al. [Dkt. 17629] (the “**Plan**”) from October 4, 2021 at 5:00 p.m. (Atlantic Standard Time) to October 18, 2021 at 5:00 p.m. (Atlantic Standard Time). In support of this Urgent Motion, the Retiree Committee states:

BACKGROUND

1. As set forth in the Voting Deadline Motion, with less than two weeks to the current Voting Deadline of October 4, 2021, it appears that a majority, and likely a significant majority of Eligible Retirees entitled to vote on the Plan have not received their solicitation packages timely or at all, due to unforeseen delays in the delivery of the solicitation packages to Eligible Retirees by the U.S. Postal Service, resulting at least in part from a shut-down of its mail sorting facility in San Juan in late August. This delay threatens serious prejudice to the Eligible Retirees, potentially depriving them of a fair and full opportunity to cast ballots and participate in the Plan confirmation process.

2. The Retiree Committee files this Urgent Motion so that the Voting Deadline Motion may be considered in advance of the Voting Deadline.

RELIEF REQUESTED

3. By this Urgent Motion, the Retiree Committee respectfully requests the Court expedite consideration of the Voting Deadline Motion, and if a hearing is required, that it be scheduled as soon as possible and in any case in advance of the current October 4, 2021 Voting Deadline.

CERTIFICATION PURSUANT TO LOCAL RULE 9013-1 AND SECTION I.H OF THE FIFTEENTH AMENDED CASE MANAGEMENT PROCEDURES

4. Pursuant to Local Rule 9013-1(a), the Retiree Committee certifies that it has carefully examined the matter and concluded that there is a true need for the Court to expedite

consideration of the Voting Deadline Motion to provide a sufficient and appropriate opportunity for Eligible Retirees a full and fair opportunity to cast ballots and participate in the Plan confirmation process.

5. The Retiree Committee further certifies that it has not created the urgency through lack of due diligence. The grounds for the Voting Deadline Motion—widespread delays in the delivery of solicitation packages—only became fully evident over the last several days, and the Retiree Committee has worked in earnest with the Oversight Board to resolve this issue without motion practice or a hearing. The Retiree Committee consents to the Court’s entry of an order granting the relief requested in the Voting Deadline Motion without the need for hearing, but if the Court determines a hearing is required to determine the Voting Deadline Motion, the Retiree Committee requests to be heard as soon as possible and in advance of the October 4, 2021 Voting Deadline.

6. Pursuant to Section I.H. of the Fifteenth Amended Case Management Procedures, the Retiree Committee certifies that it has engaged in reasonable, good-faith communications with the Oversight Board concerning the relief requested in the Voting Deadline Motion.

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WHEREFORE, the Retiree Committee respectfully requests the Court expedite consideration of the Voting Deadline Motion.

September 23, 2021

JENNER & BLOCK LLP

By:

/s/ Robert Gordon

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Respectfully submitted,

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By:

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